

REMARKS

The rejection of claims 1 – 6 under 35 USC 102(b) over Hovey et al., US Patent 4,043,647, is respectfully traversed. The claimed invention requires a photochromic synthetic resin object that exhibits an average transmission of from 5% to 30% in the visible wavelength range from 380 nm to 500 nm when at least one photochromic dye is in a lightened state. The last paragraph on page 3 of the specification as filed discloses that the shortwave blue portion is not entirely filtered out by the photochromic synthetic resin object, since otherwise an undesired color distortion would be created. Therefore, in the lightened state of at least one photochromic dye, the photochromic synthetic resin object of the claimed invention has an average transmission of at least 5% in the visible light region of 380 nm to 500 nm. By contrast, in Figure 3 of Hovey et al., the residual transmission in the range between 450 nm and 500 nm is virtually zero.

Additionally, Figure 3 of Hovey et al. shows a transmission which exceeds 20% in the area below 400 nm. According to claim 2 of the claimed invention, the photochromic synthetic resin object has an average transmission of at most 20% in the visible light region of 380 nm to 500 nm. In other words, the average transmission preferably does not exceed 20% in the visible wavelength region from 380 nm to 500 nm. This characteristic is not fulfilled by Figure 3 of Hovey et al.

Thus, for at least these reasons, Hovey et al. fails to disclose or describe all elements of the claimed invention. Reconsideration and withdrawal of the rejection are respectfully requested.

In view of the foregoing amendments and remarks, the application is respectfully submitted to be in condition for allowance, and prompt, favorable action thereon is earnestly solicited.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #100341.50826).

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Respectfully submitted,

A handwritten signature in dark ink, appearing to read "J. D. Evans", written over a horizontal line.

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